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8 Attorney for Josef F. Boehm

9  
10 IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF ALASKA  
11 AT ANCHORAGE

12 SALLY C. PURSER, )  
13 )  
14 Plaintiff, ) DEFENDANT'S PROPOSED JURY  
INSTRUCTIONS  
15 v. )  
16 JOSEF F. BOEHM, ALLEN K. )  
BOLLING and BAMBI TYREE )  
17 Defendants. )  
18 ) CASE NO.: 3:05-CV-0085-JKS  
19 )

20 Josef Boehm, comes now by and through his counsel, David  
21 Kenner, to submit proposed jury instructions.

22 NINTH CIRCUIT PATTERN JURY INSTRUCTIONS

23 1.1C Duty of Jury (Court Reads and Provides Written Instructions at  
End of Case)

24 1.2 Claims and Defenses

25 1.3 Burden of Proof - Preponderance of the Evidence

26 1.4 Burden of Proof - Clear and Convincing Evidence

27 1.6 What is Evidence

28 1.7 What Is Not Evidence

- 1 1.8 Evidence For Limited Purpose
- 2 1.9 Direct and Circumstantial Evidence
- 3 1.10 Ruling on Objections
- 4 1.11 Credibility of Witnesses
- 5 1.12 Conduct of Jury
- 6 1.13 No Transcript Available to Jury
- 7 1.14 Taking Notes
- 8 1.15 Questions to Witnesses by Jurors
- 9 1.18 Bench Conferences and Recesses
- 10 1.19 Outline of Trial
- 11 2.1 Stipulated Testimony
- 12 2.2 Stipulations of Fact
- 13 2.3 Judicial Notice
- 14 2.5 Transcript of Tape Recording
- 15 2.8 Impeachment Evidence - Witness
- 16 2.9 Tests and Experiments
- 17 2.10 Use of Interrogatories of a Party
- 18 2.11 Expert Opinions
- 19 2.12 Charts and Summaries Not Received in Evidence
- 20 2.13 Charts and Summaries in Evidence
- 21 2.14 Evidence in Electronic Format
- 22 3.1 Duty to Deliberate
- 23 3.2 Communication With Court
- 24 3.3 Return of Verdict
- 25 3.4 Additional Instructions
- 26 3.5 Deadlocked Jury

27  
28 **ALASKA PATTERN CIVIL JURY INSTRUCTIONS**

- 2.05 Closing Instructions - Damages

1 2.06 Closing Instructions - Attorney Fees and Costs  
2 2.07 Closing Instructions - Resort to Chance  
3 3.06 Legal Cause  
4 20.01B Damages - Introductory Instruction, Liability Admitted  
5 20.02A Past Medical Expenses  
6 20.02B Future Medical Expenses  
7 20.03 Past Earnings  
8 20.04 Loss of Future Earning Capacity  
9 20.05 Inflation and Present Value, Future Economic Losses  
10 20.06 Non-Economic Losses  
11 20.10 Future Damages - No Reduction to Present Value  
12 20.11 Aggravation of Pre-Existing Condition or Disability  
13 20.18A Avoidable Consequences

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17 DATED this 2nd day of July, 2007 at Anchorage, Alaska.  
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20

21 KENNER LAW FIRM  
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23  
24 By: /s/\_DAVID E. KENNER\_\_\_\_\_

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By: \_/s/ Brett A. Greenfield\_\_\_\_\_

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